

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**ELMAGIN CAPITAL LLC,**

**Plaintiff,**

**v.**

**CHAO CHEN;  
KARL PETTY;  
ENTERGRID LLC;  
ENTERGRID FUND I LLC**

**Defendants.**

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**CIVIL ACTION NO.:  
2:20-cv-02576-TJS**

**PLAINTIFF, ELMAGIN CAPITAL, LLC'S REQUEST FOR RECONSIDERATION OF  
THE COURT'S DENIAL OF PLAINTIFF'S JMOL TO REVERSE THE VERDICTS  
FINDING BAD FAITH OF PLAINTIFF AND ABSENCE OF BREACH OF THE NDNC  
AGREEMENT**

Pursuant to the inherent powers of the U.S. District Courts to rectify errors, Plaintiff Elmagin Capital, LLC respectfully requests the Court reconsider its denial of Plaintiff's motion for JMOL made in open court on May 6, 2022 (Jury Trial, Day 9 at 41:24-42:7) and reversal of this Order to grant the motion for JMOL as to verdicts finding that Plaintiff filed this action in bad faith and absence of breach of the NDNC agreements by Chao Chen. Reconsideration and reversal of the denial of Plaintiff's Motion for JMOL as to the verdicts finding bad faith and absence of breach of contract by Defendant Chao Chen should be granted for the reasons set forth in the accompanying memorandum in support thereof.

*Remainder of page intentionally blank. Signature page follows.*

Respectfully Submitted,

Dated: May 12, 2022

/s/ Douglas Panzer

Douglas Panzer (#203354)  
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*Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 12<sup>th</sup> day of May, 2022, I served a true and correct copy of the forgoing PLAINTIFF, ELMAGIN CAPITAL, LLC'S REQUEST FOR RECONSIDERATION OF THE COURT'S DENIAL OF PLAINTIFF'S JMOL TO REVERSE THE VERDICTS FINDING BAD FAITH OF PLAINTIFF AND ABSENCE OF BREACH OF THE NDNC AGREEMENT, the accompanying Memorandum of Law in Support thereof, any exhibits thereto, and a Proposed Order via email upon the counsel of record for Defendants.

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*Attorneys for Defendants*

/s/ Douglas Panzer  
Douglas Panzer